

REMARKS

The Examiner notes the rejection of claims 61 through 63 as being to non-elected species and formally withdrawn these claims from consideration at this time.

Applicants note the Examiner's rejection to the informality in claim 39 with respect to an antecedent basis for a term therein. Claim 39 has been amended to meet this objection.

Applicants note that the Examiner finds allowable subject matter in claims 48 through 54 and claim 64. Applicants note that claims 55 through 57 are dependent on claims 52 through 54 which are deemed to contain allowable subject matter and therefore believes that these three claims are allowable, although objected to, on the same basis as are claims 48 through 54.

Most importantly, the Examiner has objected to the remaining claims, namely claims 38-47 and 55-60, over the newly cited Mauch Patent No. 6,117,117 dated September 12, 2000.

Applicants have amended claim 38, the independent claim from which the rest of the rejected claims depend, either directly or indirectly. Applicants believe that this amendment serves to patentably distinguish over the Mauch '117 reference.

Applicants have also amended the allowable claim 64 in order to correct what Applicants consider to be minor informalities therein.

The Mauch Reference.

The Mauch catheter involves a pair of branch catheters which are attached to one another permanently along a proximal portion.

They are also attached to one another temporarily at a distal portion. The distal temporary connection is by engagement between a coupling device 54 and a tracking wire 19 (see col. 6, line 66). This temporary coupling is for the purpose of insertion of the catheter into the patient. When the tracking wire 19 is removed from the coupling device 54, the distal portions of this bifurcated catheter can be separately deployed as shown in FIGs. 10 and 11. But at no time, are the two members 32, 34 or portions of the catheter entirely separate. Not only are these two portions 32, 34 and proximal lumens associated with these two segments inserted as a unit, they are, most importantly, withdrawn as a unit. That is, there is no way in the Mauch design that one of the tubes can be withdrawn independently and separately of the other element (be it a tube or a companion member).

Comparison of Applicants And Mauch.

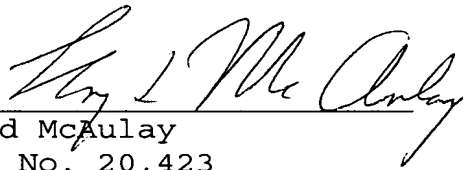
It is important and essential to the teachings of Applicants' design that the main catheter and the companion member can be independently and separately withdrawn from the patient. It is critical that each of these two elements (catheter and companion member) be separately and independently withdrawn. Thus, they are not connected to one another except along the zone where the linear engagement member (the wire) causes them to be held together.

The dual tube dialysis catheter embodiment of Applicants' design requires that it be anchored within the patient for an extended period of time to prevent accidental or even intentional removal before a medical professional determines that removal is required. When removal is required, it is

important to minimize the amount of surgical trauma to the patient in removing the dual tube catheter device. This invention minimizes that trauma by virtue of permitting each of the tubes to be removed separately and independently of one another. That is, they can be removed one at a time. This occurs because the wire or wires holding the two tubes together are the only element connecting the two tubes and do so only at the zone over which they provide a connection

Further and favorable action is respectfully requested.

Respectfully submitted,



Dated: September 29, 2004

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